IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

FRIDAY, THE 12TH JANUARY 2007 / 22ND PAUSHA 1928

WP(C).No. 231 of 2007(C)

PETITIONER:

CSI CHRIST CHURCH,
ALLEPPEY, REPRESENTED BY ITS VICAR,
REV.DR.P.K.KURUVILLA.

BY ADV. SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR
SRI.ANIL D. NAIR

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY ITS CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, ALAPPUZHA.

3. REVENUE DIVISIONAL OFFICER, ALAPPUZHA.

4. THE TAHSILDAR, AMBALAPPUZHA TALUK, TALUK OFFICE, ALAPPUZHA.

BY GOVT.PLEADER SRI.M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C) NO. 231 OF 2007

Dated this the 12th day of January, 2007

J U D G M E N T

The writ petition is for a direction to respondents 2 to 4 to take action on Exhibits P1, P3 and P4 and to remove the unauthorised sheds and other structures. The main contention raised in the writ petition is that the ingress and egress of the church premises is being obstructed by the unauthorised occupation of some of the vendors or trade unions outside the compound wall in puramboke land.

2. On instructions, the learned Government pleader submits that the trade unions have constructed some sheds. But it does not in any way obstruct the ingress and egress. As such a writ of mandamus cannot be issued. Writ petition is dismissed. This will not stand in the way of the petitioner to seek other remedies by way of a suit if any of his civil rights are infringed.

Writ petition is dismissed.

P.R.RAMAN, JUDGE

Rp